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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,512	07/02/2003	Carl J. Conforti	05/01 CC	3523
7590 02/04/2005		EXAMINER		
CARL J. CONFORTI			VERBITSKY, GAIL KAPLAN	
30 RIVER VIEW ST. FALL RIVER, MA 02724			ART UNIT	PAPER NUMBER
			2859	
			DATE MAILED: 02/04/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Allowability 10/612,512		Androdon No	LA-Warda
Examiner	supplemental	Application No.	Applicant(s)
The MAILING DATE of this communication appears on the cover sheet with the correspondence address—All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included nerewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initize of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1303. I. ☑ This communication is responsive to amendment filed on september 07. 2004. Z. ☑ The allowed claim(s) Is/are 19-27.29-39 and 35-39. I. ☑ The drawings filed on 02 July 2003 are accepted by the Examiner. I. ☑ certified copies of the priority documents have been received. I. ☑ certified copies of the priority documents have been received in Application No I. ☑ certified copies of the critified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). Certified copies not received: Applicant has THEE MONTHS FROM THE "NAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. I. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) ☐ hereto or 2) ☐ to Paper No./Mail Date	Notice of Allowability		
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Supplemental

. Application/Control Number: 10/612,512

Art Unit: 2859

Supplemental

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Conforti on September 16, 2004.

In the specification: A) "illuminscent" in page 5 line 2 has been replaced with –luminescent--, B) "led 54" in page 8, line 31 has been replaced with –LED 54—, C) "led" in page 8, lines 36, 41 and 42 has been replaced with -LED--, Claims 1-18 have been canceled.

Claim 19: "illuminateing" in line 10 has been replaced with -illuminating--.

Claim 27 has been replaced with: --A temperature measuring device comprising: a housing including a main portion configured to be grasped by a person; a temperature probe retained by the housing and configured to sense temperature, the probe extending from the main portion of the housing in a configuration for insertion onto a surface area of a patient's body where a desired body temperature is to be measured; and a strip of thin, flexible material coupled to the housing and configured to cover at least a portion of the temperature probe configured to be in contact with the patient, and where the dispensing mechanism is coupled to the housing and said material is configured to dispense and cover at least a portion of the temperature probe for a plurality of times

Application/Control Number: 10/612,512

Art Unit: 2859

wherein the roll is selectively marked with an ink on at least portion of the material to identify a location of a start, end or index measure of the material--.

Claim 30 has been replaced with: --The device of claim 27 wherein the housing comprises a light source coupled to the housing and configured to provide visible light in a vicinity externally in front of and behind a tip of the probe--.

Claim 33: has been replaced with --A temperature measuring device comprising: a housing including a main portion configured to be grasped by a person; a temperature probe retained by the housing and configured to sense temperature, the probe extending from the main portion of the housing in a configuration for insertion onto a surface area of a patient's body where a desired body temperature is to be measured; and a strip of thin, flexible material coupled to the housing and configured to cover at least a portion of the temperature probe configured to be in contact with the patient, and where the dispensing mechanism is coupled to the housing and said material is configured to dispense and cover at least a portion of the temperature probe for a plurality of times wherein said material comprises a roll of material disposed inside of the housing and wherein the housing provides means to allow dispensing of the material to the temperature probe--.

Claim 34 has been canceled.

Application/Control Number: 10/612,512

Art Unit: 2859

Claim 39 has been added:

39. (Added) A temperature measuring device comprising: a housing including a main portion configured to be grasped by a person;

a temperature probe attached to the housing and configured to sense temperature, the probe extending from the housing in a configuration for insertion into onto a surface area of a patient's body where the desired body temperature is to be measured; and

a light source attached to the housing and configured to provide visible light in a vicinity of the probe;

wherein the light source is configured to be activated by an independent switch; wherein the light source is configured to provide visible light external to the housing, externally illuminating a region in front of and behind the tip of the probe outside the housing to provide a means for a person taking temperature measure to position the probe to a desired location on the patients body.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in the PTO-892 and not mentioned above disclose related devices and methods.

Any inquiry concerning this communication should be directed to the Examiner Verbitsky who can be reached at (571) 272-2253 Monday through Friday 8:00 to 4:00 ET.

GKV

Gail Verbitsky

Primary Patent Examiner, TC 2800

December 10, 2004